

## Affidavit

County of Lorain

SS:

State of Ohio

Now comes the undersigned, Jonathan E. Rosenbaum, who being duly sworn states as follows:

1. The following is a true and accurate record of my time spent in and expenses incurred in prosecuting Jane Doe, et al v. Boland, USDCt ND Ohio Case No. 1:07cv2787:

### Time and Expenses

Client Bloom Rate \$200.00

| Date     | Activity/ Expense  | Time/Amount |
|----------|--|-------------|
|          | Background investigation re Boland   | 0.75        |
| 9-1-06   | Attempt FOIA   | 1.25        |
|          | Obtain and Read SW, Diversion Agreement  | 2.0         |
| 9-9-07   | Res re Priv. and Cause of Action   | 3.25        |
| 9-10-07  | Res and Draft complaint;   | 7.0         |
| 9-11-07  | Research (computer and law library) and draft federal complaint                                      | 2.5         |
| 9-13-07  | Prepare Summons, Case Desig Form, File lawsuit   | 1.5         |
| 10-21-07 | Download and read Comp res re state of limitation; print out Motion to Dis                           |             |
|          | And Exs; Res rules regarding time for reply  | 3.25        |
| 10-24-07 | Computer and library research for Br In Opp  | 3.75        |
| 10-25-07 | Draft Br in Opp  | 8.0         |
| 10-26-07 | Edit and Proof Br in Opp; Res  | 3.75        |
| 12-17-07 | Speak with Istock Atty   | 0.25        |
| 12-19-07 | Prepare Initial Disc Disclosure; Speak with Deft   | 1.5         |
| 12-21-07 | Receive Third Party Complaint and Ans w/ cc; Computer Res re dismissal                               | 1.25        |
| 12-23-07 | Complete initial disclosure and est. costs and fees  | 4.0         |
| 12-26-07 | Speak to Deft re planning order; Work on Motion to Dismiss; Draft Planning Meeting Report            | 8.0         |
| 12-27-07 | Finalize and serve Motion to Dismiss   | 5.25        |
| 1-3-08   | Finalize and send Planning Meeting Report with letter  | 0.50        |
| 3-3-08   | Meet with S/A Sullivan and review images 1/2 travel time   | 1.75        |
| 3-4-08   | Work on Disc Req to Deft; Review Docs and filings  | 5.0         |
| 3-5-08   | Finalize Disc Req; Not of Serv; File and Serve   | 1.25        |
| 4-29-08  | Read Emails re Discovery Response from Deft; Draft and file Notice of Deemed Admissions and Exhibits | 2.25        |
| 4-30-08  | Draft and send R37 letter; issue and serve 23 subs   | 6.5         |
| 5-2-08   | Read disc Response; Draft, Research, File Br in Opp to Mot to w/d                                    |             |

|          |  |      |
|----------|--|------|
|          | Deemed Admissions  | 3.25 |
| 5-5-08   | Draft and email proposed joint SC report; Remind Clients of SC   | 1.0  |
| 5-12-08  | Attend SC; Meet with clients Travel 60 mi  | 1.75 |
| 5-18-08  | Review Court rulings and entries after download; Email Correspondence with Judge Pike and Atty Clark; Letter to Porage County Prose office | 1.25 |
| 6-12-08  | Travel to Cleveland (1/2 time) meet with SA Sullivan; review discovery   | 1.5  |
| 7-9-08   | Travel to Cleveland to meet with SA Sullivan to open disc  | 1.5  |
| 7-10-08  | Travel to Cleve for Sc; Attend SC; Meet with Clients, Speakd with SA Sullivan; Darftsub ltr to USA off and FBI; Draft Sub; mail            | 3.25 |
| 7-17-08  | Draft Res to Motion to strike  | 3.5  |
| 7-17-08  | Rework Motion to Strike Res and file , Create Affidavits; Call Hamilton County PO and Ok USAO; create and serve 2 subs                     | 6.0  |
| 7-23-08  | Travel to FBI to Prepare for Depo and surrender Summit County CD   | 3.25 |
| 7-28-08  | Prepare for depo   | 6.25 |
| 7-29-08  | Attend Depo of Deft  | 5.5  |
| 8-13-08  | Draft serve and file Mot to Compel   | 1.0  |
| 8-20-08  | Email Correspondence with Deft; res and prepare Aff Affecting Real Estate  | 1.25 |
| 8-21-08  | Travel to Cleveland and File aff affecting Real Estate   | 1.75 |
|          | Attend and prepare for Depos of adult Plaintiffs   | 2.0  |
| 4-21-09  | Draft Mot for SJ   | 1.75 |
| 4-22-09  | Draft Mot for SJ   | 4.0  |
| 4-23-09  | Finalize Mot for SJ  | 3.5  |
| 4-29-09  | Draft res to Mot for Protective Order. Work on Br in Opp to D's Mot for SJ   | 6.5  |
| 5-1-09   | Brief in Opp to Deft's Mot for SJ  | 6.0  |
| 5-4-09   | Prof and file Br in Opp to Deft's Mot for SJ   | 3.0  |
| 6-3-09   | Research Deft's website; Draft and file Not of Supp Auth/Evid  | 2.0  |
| 6-8-09   | Draft an File Br in Opp to Mot to Strike; Check Deft's Website   | 1.5  |
| 9-14-09  | Prepare and file app docs  | 2.5  |
| 12-14-09 | Draft and res App Br   | 4.5  |
| 12-15-09 | Draft Br.  | 6.5  |
| 12-16-07 | Draft and Prof Br and appendix   | 3.5  |
| 12-17-09 | Proof and file Br and App.   | 3.0  |
| 1-20-10  | Draft Reply brief; Read Appee brief  | 2.25 |
| 1-21-10  | Work on Reply Br   | 0.75 |
| 2-1-10   | Proof and File Reply Br  | 2.25 |
| 5-12-10  | Draft and file Not of Supp Auth, Res finding case  | 1.75 |
| 8-11-10  | Comp Res re Boland: Read US v. Paull   | 0.5  |
| 11-19-10 | Read US Brief  | 0.25 |
| 11-29-10 | Read Boland Reply Br   | 0.5  |
| 11-30-10 | Draft an file OA Acknowledgement   | 0.25 |
| 12-3-10  | prepare for argument   | 6.0  |
| 12-5-10  | Work on outline at home  | 1.25 |
| 12-7-10  | Prepare for argument   | 2.25 |
| 12-8-10  | Attend and prepare for C of A argument. Confer with DOJ  | 11.5 |
|          | Telephone Pt   | .25  |
| 4-28-11  | Telephone Pt   | .25  |

|         |  |            |
|---------|--|------------|
| 5-3-11  | Draft and file Motion to Strike; computer res  | 1.75       |
| 5-12-11 | Computer Res re: Morphing and damages          | 2.5        |
| 7-11-11 | Draft Res to Deft's 2 <sup>nd</sup> Mot for SJ | 4.5        |
| 7-12-11 | Proof and finalize brief                       | <u>3.5</u> |
|         |  | 208.5      |

Payments and Expenses

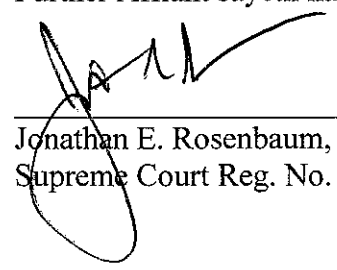
|         |  |          |
|---------|--|----------|
| 3-17-06 | Travel to USA Office 60 mi plus \$5.00 parking |          |
| 9-13-07 | Filing Fee                                     | \$350.00 |
| 1-11-08 | 60mi and parking                               | \$7.00   |
| 3-3-08  | 30mi (1/2) travel                              |          |
| 5-1-08  | CM for Subs                                    | \$119.83 |
| 5-12-08 | Parking \$6.00                  60mi           |          |
| 6-12-08 | 30 mi  |          |
| 7-9-08  | 60 mi  |          |
| 7-10-08 | 60 mi and \$6.00 parking                       |          |
| 7-18-08 | CM to Boeing and Tulsa                         | \$10.98  |
| 7-23-08 | 60 mi  |          |
| 7-29-08 | 60mi and \$6.00 parking                        |          |
| 8-15-08 | M&H  | \$272.00 |
| 8-21-08 | Recording Fee \$60.00, parking \$2.25, 60 mi   |          |
| 9-14-09 | App filing fee                                 | \$455.00 |
| 12-8-10 | 465 mi, \$11.00 parking (receipt on Discover)  |          |

2. \$200.00 per hour has been my usual and customary hourly rate for the past several years; and

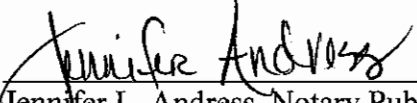
3. \$200.00 per hour is a reasonable fee for legal services in Lorain County, Ohio;

4. The attorney's fees in this matter accrued to date total \$41,700.00 and the expenses total \$1,514.11

Further Affiant sayeth naught.

  
Jonathan E. Rosenbaum, Attorney  
Supreme Court Reg. No. 0021698

Sworn to and subscribed before me this 13<sup>th</sup> day of July, 2011.

  
Jennifer L. Andress, Notary Public  
My Commission Expires 03-27-13